
THIRD READING

Bill No: AB 550
Author: Petrie-Norris (D)
Amended: 6/25/26 in Senate
Vote: 21

SENATE NATURAL RES. & WATER COMMITTEE: 6-0, 6/23/26
AYES: Becker, Allen, Cabaldon, Grove, Laird, Stern
NO VOTE RECORDED: Seyarto

SENATE APPROPRIATIONS COMMITTEE: 6-0, 8/13/26
AYES: Cervantes, Cabaldon, Dahle, Grayson, Richardson, Wahab
NO VOTE RECORDED: Seyarto

ASSEMBLY FLOOR: 76-0, 6/2/25 - See last page for vote

SUBJECT: The California Endangered Species Act: take of species proposed for listing: renewable electrical generation facilities

SOURCE: Author

DIGEST: This bill authorizes the California Department of Fish and Wildlife (CDFW) to include a species proposed for listing, as defined, in an incidental take permit (ITP) for an endangered, threatened, and candidate species under the California Endangered Species Act (CESA), and provides that if a species proposed for listing becomes a candidate or listed species pursuant to CESA is a covered species under an ITP for a renewable energy generation facility than no additional permitting or authorization is required for take of that species, among other provisions, as provided.

ANALYSIS:

Existing law:

- 1) Provides that fish and wildlife resources are held in trust for the people of California by and through CDFW (Fish and Game Code (FGC) §711.7).
- 2) Provides, under CESA, for the listing and protection of species determined through biological scientific analysis to be endangered or threatened with extinction (FGC §§2070 *et seq.*).
- 3) Requires the California Fish and Game Commission (commission) to establish a list of endangered and threatened species to which species may be added or removed upon the receipt of sufficient scientific information that action is warranted and further describes the process by which a listing occurs (FGC §§2070 *et seq.*).
- 4) Defines endangered, threatened, and candidate species, all of which refer to native species or subspecies (FGC §§2062, 2067, 2068).
- 5) Prohibits a person or public agency from importing into this state, exporting out of this state, or taking, possessing, purchasing, or selling within the state, any listed species or any part or product of the listed species (FGC §2080).
 - a) Species that have been advanced to candidacy by the commission have the same protections as listed species until resolution of their candidacy.
- 6) Defines “take” to mean hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill (FGC §86).
- 7) Prohibits the taking of an endangered species, threatened species, or candidate species listed pursuant to CESA unless CDFW authorizes the taking of the listed species under an ITP and if the taking is incidental to an otherwise lawful activity, the impacts are minimized and fully mitigated, and the issuance of the permit would not jeopardize the continued existence of the species (FGC §§2081, 2084).
- 8) Allows the commission to authorize, subject to terms and conditions, and based on the best available scientific information, the taking of a candidate species (FGC § 2084).

This bill:

- 1) Authorizes CDFW to include a species proposed for listing, as defined, in an ITP for an endangered, threatened, and candidate species. Requires that CDFW, in issuing the ITP including the species proposed for listing, has sufficient information to determine the impact of authorized take on, and

compliance with, certain ITP requirements including that the take is minimized and fully mitigated, as specified.

- 2) Provides that if a species proposed for listing becomes a candidate or listed species pursuant to CESA, then further authorization or approval shall not be required for take of that species, if all of the following conditions are met:
 - a) The species proposed for listing was including as a covered species in an ITP previously issued by CDFW for incidental take caused by a renewable electrical generation facility, as defined; and
 - b) The take is in compliance with the terms of Section 2081 of the Fish and Game Code (which allows CDFW to authorize the take of a CESA-listed species under specified conditions).
- 3) Requires CDFW, on or before January 31, 2033, to compile and post a summary table on its internet website that includes at least all of the following information for calendar years 2027 to 2032, inclusive:
 - a) Projects that included a species proposed for listing as a covered species in take authorization, including identification of the species concerned and if the species proposed for listing advanced to candidacy or listing, as provided.
 - b) Any additional relevant information, as provided.
- 4) Defines “species proposed for listing” to mean a species recommended by the department or petitioned by an interested party for listing as an endangered or threatened under CESA- before the commission determines if the species will be designated as a candidate species.
- 5) Makes multiple relevant legislative findings and declarations related to the need for this bill including noting that the state’s ambitious climate and energy goals will require a massive buildout of new clean energy projects, including nearly doubling its clean energy capacity over the next five years to stay on track with its goals.

[NOTE: See the Senate Natural Resources and Water Committee’s analysis for additional information.]

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- CDFW estimates ongoing costs of \$224,000 in 2027-28 and \$215,000 annually thereafter (Endangered Species Permitting Account or other special fund) to create a new permit, which would require development of application materials including paper and online forms, instructions and guidance materials, website updates, permit templates, education and outreach materials, and updated tracking metrics.
- CDFW notes that this bill would likely increase the number of incidental take permits issued by the department, but that the resulting revenue impacts (Endangered Species Permitting Account or other special fund) cannot be estimated since the future number of species proposed for listing is unknown.

SUPPORT: (Verified 8/13/26)

AES Clean Energy
American Clean Power – California
Arevon
Audubon California
Aypa Power
California Native Plant Society
California Wind Energy Association
Center for Biological Diversity
Clearway Energy Group
Defenders of Wildlife
Independent Energy Producers Association
Intersect Power
Large-scale Solar Association
Leeward Renewable Energy
Longroad Environmental Management
Planning and Conservation League
Solar Energy Industry Associations
The Nature Conservancy

OPPOSITION: (Verified 8/13/26)

SFV Alliance

ARGUMENTS IN SUPPORT: According to the author, “Under the California Endangered Species Act (CESA), protections apply not only to threatened and endangered species, but also to species designated as “candidates” for potential listing by the California Fish and Game Commission. Any “take” (e.g., catch,

capture, or kill) of a candidate species is prohibited unless authorized by an Incidental Take Permit (ITP) that fully mitigates the impact.”

“Currently, when a species becomes a candidate, developers—such as those building housing or clean energy projects—must often pause work and undergo unexpected reviews and permitting at significant cost. This creates delays, adds uncertainty, and can impose unanticipated mitigation requirements. For renewable energy projects, delays in commercial operation can result in penalties as high as \$100,000 per day—costs that ultimately affect ratepayers.”

“Allowing developers to apply for ITPs before a species becomes a candidate would improve planning timelines, giving them a chance to conduct required species studies—often limited to specific seasons—and address mitigation requirements proactively. This change would reduce late-stage delays and provide more flexibility for compliance.”

The Large-Scale Solar Association adds “By making this small adjustment to allow for ITPs earlier in the process, developers would have more flexibility in addressing issues and avoiding late-stage project delays. In the clean energy context, late-stage project delays drive up the cost of electricity generation and threaten reliability targets – both of which impact ratepayers.”

ARGUMENTS IN OPPOSITION: According to the SFV Alliance, writing in opposition: “This bill is narrowly tailored to just construction of Renewable energy projects. If it is solid in its premise and the stated goal of protecting at-risk species and its habitats, it should be effective enough for all other construction processes including but not limited to; natural gas generation facilities, hydrogen potential generating project, nuclear generating facilities, new highway projects and building of all structures including single family homes.”

“We ask the Author to amend the legislation to include all construction” or for the bill to be rejected.

ASSEMBLY FLOOR: 76-0, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste

Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo,
Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis,
Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Bryan, Jackson, Kalra

Prepared by: Hunter Flynn / SFA / (916) 651-1520
8/15/26 16:23:58

**** **END** ****